

TAB 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TAKEHIKO KAWASAKI, ET AL.

Application No.: 10/559,532

Filed: December 2, 2005

For: SHEET MATERIAL IDENTIFYING
APPARATUS, SHEET MATERIAL
TREATING APPARATUS AND SHEET
MATERIAL IDENTIFYING METHOD

Examiner: Unassigned

Group Art Unit: Unassigned

Confirmation No.: 1278

August 28, 2008

Mail Stop Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION OF MARK CHANDERDATT

Sir:

I, the undersigned MARK CHANDERDATT, declare and say that:

1. I am the docketing supervisor at the law firm of Fitzpatrick, Cella, Harper & Scinto ("our firm"), 30 Rockefeller Plaza, New York, New York 10112, and have been with the firm for over 9 years.
2. It is our firm's normal practice to keep a record of all documents received from the U.S. Patent and Trademark Office ("USPTO") requiring a response within a specified period, i.e., all documents having a "due date." I have personally reviewed our firm's docketing records for responses due on May 14, 2006 for Notification of Missing Requirements

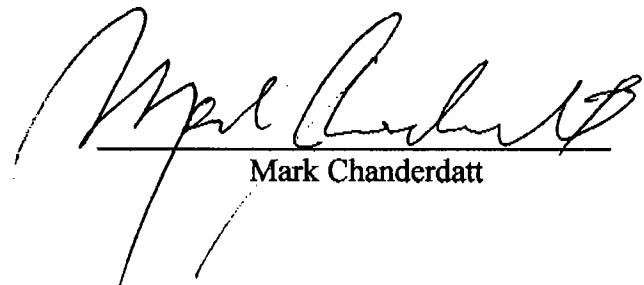
Under 35 U.S.C. 371 in the United States Designated/Elected Office, dated March 14, 2006, ("Notification of Missing Requirements") and our firm's records indicate that no Notification of Missing Requirements with a mailing date of March 14, 2006, or any other mailing date, was received from the USPTO for Application No. 10/559,532 .

3. More specifically, I have reviewed our firm's master docket record and manual docket record for responses due on May 14, 2006, and the records show that no response was due on that date for Application No. 559,532, which would correspond to a Notification of Missing Requirements with a mailing date of March 14, 206. Attached, as Exhibit A, are copies of the relevant portions of our firm's master docket record and manual docket record for May 14, 2006, listing responses due on that date.

4. It is also our firms normal practice to keep a record of any Notification of Abandonment our firm receives from the USPTO. I have also personally reviewed our firm's docketing records for receipt of a Notification of Abandonment for Application No. 10/559,532, with a mailing date of January 8, 2007, or any other date, and our records show that no Notification of Abandonment for Application No. 10/559,532 was ever received by our firm.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Dated: August 28, 2008



Mark Chanderdatt

FCHS_WS 2417234v1

DOCKET

MAY 14 2006

ATTORNEY	SERIAL NUMBER	INVENTOR	NATURE OF RESPONSE DUE
GW	00862.002999	UPR SENG 2/14/06	
	091286551	Issue + Pub Fee	
15D	00684.00333	Save Fee + Pub Fee + Advanced copies by hand	
	0/050,85	Issue + Pub Fee	
	03500.017542	Amend by COF	
MOT	101649625	Setal	Resp due 5/14/06
	03560.003170	Issue + Pub Fees + Advanced copies by hand	
SEW	101349108	Halton per SEPSOLO Tfee	Pub Fee
	02620.01964	Amend by COF PER AFT on 2/14/06	
FLC	091615676	Issue + Pub Fees	Resp CL A 10/22
	03560.002833	RCG + IDS	Issue + Pub Fee
	02620.017504	Issue + Pub Fees	Pub Fee
FLC	101649108	Issue + Pub Fees	Pub Fee
	03500.017632	Issue + Pub Fees + Advanced copies by hand	
WYW	101682810	Nishitani Minako	Issue + Pub Fee
	03280.003880	Amend + Pet 3X + 1.139	Deal by
ETI	101198583	Issue + COF	Issue + Pub Fee + Advanced copies by hand
	00684.003589	Issue + Pub Fees + Advanced copies by hand	
SEW	101777146	Korenaga and	Issue + COF on 2/14/06
	02860.003230	RCG + Pet 3X	Pub Fee
TG	1015421589	Issue + COF	Issue + COF + 10/22
	02977.020467	Issue + Pub Fees + Advanced copies	Issue + Pub Fees + Advanced copies
	03193.609	COA + Amendment by COF	Issue + Pub Fees + Advanced copies
	01272.030625	Notice of Allowance	Issue + Pub Fees + Advanced copies
MOT	101649812	Issue + Pub Fees	Issue + Pub Fees + Advanced copies
	03500.0115963	RCG + IDS	Issue + Pub Fees + Advanced copies
DSG			Issue + Pub Fees + Advanced copies
	03560.003707	Abandoned by client letter	10/22/06
JMO	101370433	Amend by COF	OK per COF
	00862.001301	Issue + Pub Fees + Advanced copies	OK per COF
SEW	111705403	Issue + Pub Fees + Advanced copies	OK per COF
GW	04138633	Amend by COF	OK per COF
	03500.0180911	RCG + Substitute Spec by hand	OK per COF
SDM	111356014	Watanabe on 2/14/06	Issue + Pub Fees + Advanced copies
	03500.000290	Amendment COF per MOT	1/9/06
MOT	04171633	Issue + COF	Issue + COF
	03161.0013911	COA + Amendment COF	Issue + COF
JDM	111216211	Amend by COF	Issue + COF
	03500.016257	Amend + Pet 3X + 1.139	Issue + COF
ETI	1017007816	AKashi	Issue + COF
	00862.106766	Amend by COF	Issue + COF
SEW	111217444	Amend by COF	Issue + COF
	02935.0003791	Amend by COF	Issue + COF
GW	111705403	Amend by COF	Issue + COF
	03500.125966	Amend by COF	Issue + COF
SSG	111355910	Yamada	Issue + COF
	03500.017818	Amend by COF	Issue + COF
FAD	101750793	Amend by COF	Issue + COF

DOCKET

MAY 14 2006

ATTORNEY	SERIAL NUMBER	INVENTOR	NATURE OF RESPONSE DUE
PAR	01938.008479 181604,744	ANNE GUY LIGNAN	Respondeat
PAR	1938.5107 Opp 9116013	Keiji Kondo	Refexited v. to CTE/BLDZ per 05 demand Natural Office Proceedings + 16
PAR	0146.3001 Opp 91161791	Keiji Kondo	Refexited v. to CTE/BLDZ per 05 demand Logi System Inc. 2006 PROCESSIONAL D
PAR	045.5312 Opp 91161320	Metaphor Inc.	ANG STATUS PER: CUSPERS OF ANG. CUSPERS OF ANG. CUSPERS OF
PAR	03398.000010.P US05109943	ELK Corp	No RCE needed, per AAR p 7/1/06 AC + T Amends
PAR	0182.111090	Metaphor Inc.	Filed by counsel per EAK on 4/21/06
PAR	00911,003200.1	Keiji Kondo	Refexited v. to CTE/BLDZ per 05 on
PAR	111272,122	Keiji Kondo	ANG. CUSPERS OF ANG. CUSPERS OF ANG. CUSPERS OF
PAR	00868.003157 10/819,57	Metaphor Inc.	ANG STATUS PER 05/06 Keiji Kondo
PAR	3346.5310 Opp 91161793	Metaphor Inc.	ANG STATUS PER 05/06 Keiji Kondo
PAR	3472	Metaphor Inc.	Appld AC/DCD 5/11/06 Com. 10/10

MASTER DOCKET - From 042606 to 051606

Print : 4/19/2006 5:03:38

Due Date	Docket Number	Attorney	Action	Application No	Page
5/14/2006	00977005201	Zapise, Anthony M.	Notice to File Missing Party - 3 month extension	11772722	132
Remarks (JB) (ROC9-2005-0078) (JOINT ASSIGNEES) CONT OF 10/611415;					

Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	00684.000388.	Perry Lawrence S.	Expiry date	862978
Remarks	Country of Origin - JAPAN	Last Update - 05-19-2004		
5/14/2006	01997.039306.	Pierson, Joseph R.	Information Disclosure Statement Due	11254609
Remarks	(BASED ON PVL APPLN) decl with surcharge due;			
5/14/2006	01997.039307.	Pierson, Joseph R.	Information Disclosure Statement Due	11253161
Remarks	(RRM) (BASED ON PVL APPLN) (RELATED TO 1997.39302) decl with surcharge due;			
5/14/2006	00802.022385.	Reed, Jennifer A.	Appeal 2-month extension	10449759
Remarks	1ST RCE FILED 040105;			
5/14/2006	05300.052.	Sanson, Peter	FINAL 3 month Office Action initial deadline	10790315
Remarks	FLOPPY RCD W/APLN; IPT 040506 - INSTR;			
5/14/2006	03500.004485.	Stahl, Lawrence A.	Expiry date	
Remarks	Country of Origin - JAPAN	Last Update - 10-06-2004		
5/14/2006	03500.018134.	Vachris, Damond E.	Information Disclosure Statement Due	10356508
Remarks				
5/14/2006	03292.101120.	Yu-Jahne, Lock-See	Information Disclosure Statement Due	11273102
Remarks	Res. to Amend for TAK on 5/15/06 Res. to Amend for TAK on 5/15/06 Res. to Amend for TAK on 5/15/06			
		Attorneys Auerbacher Auerbacher		

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Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Oliver, Justin J.	by counse per 55M on 5/14/06	104011875
				Remarks ; PTA=527; IPT 040706 - PAY FEE & FILE DIV;

Done  **5-12-06**

Remarks	LastUpdate	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Mandre, Raymond R.	PTC - 30M deadline to enter nach phase (Chapt. 11) 04/22/2005	
				Remarks LastUpdate - 03-01-2005

Remarks	LastUpdate	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Mandre, Raymond R.	NTL CH II	US04/37975
				Remarks LastUpdate - 03-01-2005

Remarks	LastUpdate	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Murman, John D.	Response to Search Report Due At 10 AM on 11/12/2006	US04/37975
				Remarks Response to Search Report Due At 10 AM on 11/12/2006

Remarks	LastUpdate	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Country of Origin - USA	LastUpdate - 04-11-2005	
				Remarks Country of Origin - USA LastUpdate - 04-11-2005

Remarks	LastUpdate	Attorney	Action	Application No
5/14/2006	02911-004800.PC	Okun, Jason M.	1 month restriction initial deadline	US04/37975
				Remarks (JOINT ASSIGNEES) decl w/surcharge due;
5/14/2006	02911-004800.PC	Oliver, Justin J.	Notice to File Missing Parts initial deadline	US04/37975
				Remarks (JOINT ASSIGNEE) decl w/surcharge due;

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Due Date 04/20/2006 Docket Number 88-13-14-06 Attorney Att. Action Information Disclosure Statement Due 11/27/2006 Application No

54442006 032944225000 (PE) (BASED ON PVL APPLN);

Remarks Emmit, Peter

54442006 035800415963 Glusack, Daniel S. Issue/Publication Fees due 10/36/2003
1.53B DIV - PAR TO ISSUE; 091505; EMAIL 093005 - NO DIV AT THIS TIME; PTA=60;

Resp + Ref 3X by com on 5/15/06 3-month Office Action - 3-month Extension - 10/16/2006
54442006 02280.003230. Gniot, Thomas 3-month Office Action - 3-month Extension - 10/16/2006
(BASED ON PVL APPLN) (NO DWGS); Advisory recd 10/12/05

Ex. - 206-14-06

54442006 031662-00007400 Holewege, Elizabeth F. Information Disclosure Statement Due 11/29/2006
Remarks decl with surcharge due;

Amend by hand per 5th on 5/15/06 3-month Office Action initial deadline 10/787080
54442006 035000035747 1.53B DIV - PAR ABAND
Remarks

Ex. - 206-14-06

54442006 038021-H023 Kennett, Edward A. Chapter II Application Filing

Remarks

Resp. to OA by Cof per VYR on 5/15/06 3-month Office Action initial deadline 039986244
54442006 035660-002240 Kennett, Edward A.

Remarks IPT 033106 - INSTR;

Remarks

Resp. to OA by Cof per VYR on 5/15/06 3-month Office Action initial deadline 10/01/2019
54442006 03500.018060 Magluyan, John R.

Remarks FLOPPY RCD W/APLN;

Ref to Resp. to OA by Cof per VYR on 5/15/06 3-month Office Action initial deadline 09/935589

of assessment 03/18/2006 Per Pet. in Com.

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Due Date	Docket Number	Attorney	Action	Application No
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5/14/2006 01526.40040. Behringers, John W. Power of attorney due to be filed 10/517812
Remarks NATL PHASE OF PCT/IB03/002827 OR 070803

Rendel

5/14/2006 03226.000123.PV. Cire, Frank L. 1 month Complete Appln/Foreign Filing Remain 60/600005
Remarks

AS-61. 106.14.06

5/14/2006 03500.52105. Cire, Frank L. Information Disclosure Statement Due 11/27/1871
Remarks

RCE + TDS by Cire in FLC on 5/14/06
5/14/2006 03500.00023. Cire, Frank L. Issue Publication Fees Due 09/25/2006
Remarks Advisory rec'd 11/23/05; IPT 120605 - rce; PTA=844; IPT 041906 - RCE W/IDS & FILE 1.53 (b) CONT; 00253989

5/14/2006 03500.07937. DelLucia, Frank A. Final Office Action - 2 Month date 10/23/2006
Remarks FLOPPY RCD W/APLN; IPT 041306 - INSTR;

5/14/2006 03500.107202. DelLucia, Frank A. Information Disclosure Statement Due 11/27/1871
Remarks

SL-TV 6.14.06
5/14/2006 03227.149960. Diane Leonard P. Information Disclosure Statement Due 11/27/1872
Remarks Floppy received with application; Courier 011906 - 1 prior doc

5/14/2006 03227.00021941. Diane, Raymond 3 month Office Action 2 month extension 09/05/2006
Remarks 1ST RCE SENT COM 092204; IPT 011006 - Letter re: IDS; IPT 031306 - INTERVIEW;